

HENRY BONILLA
23D DISTRICT, TEXAS

2458 RAYBURN OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4511

EX PARTE OR LATE FILED

COMMITTEE ON APPROPRIATIONS

CHAIRMAN - SUBCOMMITTEE ON AGRICULTURE

SUBCOMMITTEE ON DEFENSE

SUBCOMMITTEE ON FOREIGN OPERATIONS

Congress of the United States

Aug 21 3 40 PM '02 House of Representatives

Washington, DC 20515-4323

August 16, 2002

Honorable John Ashcroft
Attorney General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Attorney General Ashcroft and Chairman Powell:

I am writing to ask you to consider the impact of the proposed merger of EchoStar (the DISH Network) and Hughes Electronics (DirecTV) on consumers.

Currently, EchoStar and Hughes are the only two providers of Direct Broadcast Satellite services (both video and high-speed Internet) in the U.S. market. As you are aware, millions of consumers in rural America have no access to cable or digital subscriber line services and rely on satellite television both for their multi-channel video programming and for internet service. The rural consumers who presently have a choice between two very competitive satellite providers could be subjected to monopolistic practices if the merger is approved.

I believe that enforced consumer safeguards regarding price, service quality and access to vital communication services in rural America need to be established before granting Echostar and Hughes merger approval. I am also concerned a national pricing plan that permits special promotions and discounts in large cities with multi-channel video competition will only benefit those customers in urban areas while disenfranchising rural consumers who will not benefit from these competitive activities.

Furthermore, I am concerned about the effects of the proposed merger on Spanish-language broadcasting media and other under-represented groups. EchoStar has not made any commitment to ensure that local Latino broadcasters with English or Spanish programming will be carried after the merger, regardless of must-carry laws. EchoStar has evaded the FCC's orders by placing Spanish-language stations and other under-served programming on a second satellite. Thus, customers must purchase a second receiving dish. Not only is this inconvenient for customers, but EchoStar did not actively advertise this necessity to receive such programming, so most viewers have, unwittingly, gone without the stations that come with the second dish. I am concerned that EchoStar could continue its precedent of discriminating against Spanish-language stations on a much

PLEASE REPLY TO:

☐ 11120 WURZBACH, SUITE 300
SAN ANTONIO, TX 78230
(210) 697-9055

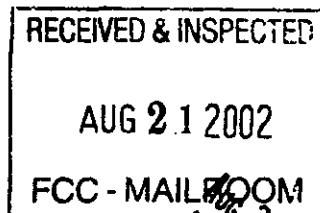
☐ 1300 MATAMOROS ST., SUITE 113B
LAREDO, TX 78040
(956) 726-4682

☐ 111 E. BROADWAY, SUITE 101
DEL RIO, TX 78840
(830) 774-8547

☐ 4400 N. BIG SPRING, SUITE 211
MIDLAND, TX 79705
(915) 686-8833

<http://www.house.gov/bonilla>

NO. of Copies rec'd 2
List ABCDE

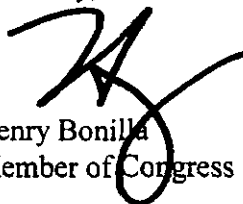


larger scale if the merger is approved and regulators stop focusing on the company.

I oppose this proposed merger because I believe that it would be detrimental to my constituents. As such, I respectfully request that the Department of Justice and the Federal Communications Commission scrutinize the proposed merger to ensure that millions of rural consumers do not suffer the consequences of higher prices, fewer choices and reduced services.

Thank you for your consideration of this matter which is of the utmost importance to my constituents. Please do not hesitate to contact me if I may be of assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'H. Bonilla', written over the printed name.

Henry Bonilla
Member of Congress